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16 Ultimate Fighting Championship and UFC

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
21 Vera, Luis Javier Vazquez, and Kyle
22 Kingsbury on behalf of themselves and all
23 others similarly situated,

24 Plaintiffs,

25 v.

Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045-RFB-(PAL)

**ZUFFA, LLC'S FIRST UNOPPOSED
MOTION TO EXTEND TIME TO
OPPOSE PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**
(First Request)

Pursuant to Federal Rule of Civil Procedure 6(b) and District of Nevada Local Rule IA 6-1(a), Defendant Zuffa, LLC (“Zuffa”) hereby files this motion for an extension of time of four days to oppose Plaintiffs’ Motion to Challenge Attorney-Client Privilege (ECF No. 320) (“Plaintiffs’ Motion”). Zuffa’s opposition to Plaintiffs’ Motion is currently due on Thursday, December 29, 2016. With the four-day extension, Zuffa’s opposition would be due on January 3, 2017. This is Zuffa’s first motion or stipulation to extend time to oppose Plaintiffs’ Motion. Declaration of Stacey K. Grigsby in Support of Zuffa, LLC’s First Unopposed Motion to Extend Time to Oppose Plaintiffs’ Motion to Challenge Attorney-Client Privilege (“Grigsby Declaration”) ¶ 4. On December 27, 2016, counsel for Zuffa contacted counsel for Plaintiffs in writing regarding their position on Zuffa’s request for a four-day extension, and Plaintiffs’ counsel indicated that they would not oppose this request. Grigsby Decl. ¶ 9.

This request for an extension of time is necessitated by a number of urgent deadlines that require counsel’s immediate attention, as well as counsel’s various commitments around the intervening major holidays. Plaintiffs’ Motion was filed on December 15, 2016. *Id.* ¶ 3. Zuffa’s Opposition is due on December 29, 2016. *Id.* ¶ 5. Plaintiffs’ Reply is due on January 5, 2017. *Id.* ¶ 7. Zuffa moved to seal confidential and privileged information in Plaintiffs’ Motion on December 19, 2016. *Id.* ¶ 6. This briefing schedule encompasses two major holidays, and counsel for Zuffa is short-staffed due to prior holiday plans of the attorneys and their support staff in their offices. As a result, counsel needs a short extension of time to file the opposition to Plaintiffs’ Motion and believes that good cause exists to extend the briefing schedule by only four days. *Id.* ¶ 8.

With the New Year’s Day federal holiday to be observed on Monday, January 2, the altered briefing schedule would result in Zuffa’s Opposition being due on Tuesday, January 3, 2017 and Plaintiffs’ Response due on Tuesday, January 10, 2017. *See Fed. R. Civ. P. 6(a)(1)(C).*

1 Dated: December 27, 2016

BOIES, SCHILLER & FLEXNER LLP

3 By: /s/ Stacey K. Grigsby

4 Stacey K. Grigsby

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Ultimate Fighting Championship and UFC

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24 Attorneys for Defendant Zuffa, LLC, d/b/a Ultimate
Fighting Championship and UFC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Zuffa's First Unopposed Motion To Extend Time To Oppose Plaintiffs' Motion To Challenge Attorney-Client Privilege (ECF No. 320) was served on the 27th day of December, 2016 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Michael Kim
An Employee of Boies, Schiller & Flexner LLP

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**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF ZUFFA,
LLC'S FIRST UNOPPOSED MOTION TO
EXTEND TIME TO OPPOSE
PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**

I, Stacey K. Grigsby, declare as follows:

1. I am an attorney admitted to practice before the courts in the states of New York and the District of Columbia and am admitted Pro Hac Vice to practice before this Court. I am Counsel in the law firm Boies, Schiller & Flexner LLP, and counsel to Defendant Zuffa, LLC (“Zuffa”) in this case.

2. I make this declaration in support of Zuffa, LLC's First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney-Client Privilege (ECF No. 320) ("Motion").

3. Plaintiffs filed their Motion to Challenge Attorney-Client Privilege (“Plaintiffs’ Motion”) on December 15, 2016 at ECF No. 320.

4. This Motion is Zuffa's first motion to extend time regarding Plaintiffs' Motion.

5. On the current briefing schedule, Zuffa's Opposition to Plaintiffs' Motion is due on December 29, 2016.

6. Zuffa filed its Motion to Seal certain exhibits to and portions of Plaintiffs' Motion on December 19, 2016 at ECF No. 324.

7. On the current briefing schedule, Plaintiffs' Reply to Zuffa's Opposition to Plaintiffs' Motion is due on January 5, 2017.

8. The current Opposition and Reply briefing schedule include three major holidays (Hanukkah, Christmas, and New Year's Days), which resulted in counsel for Zuffa being short-staffed due to the prior plans of the attorneys and the support staff in their offices.

9. On December 27, 2016, I contacted Kevin Rayhill, counsel for Plaintiffs, and the attorney responsible for filing Plaintiffs' Motion by email and inquired whether Plaintiffs will oppose this motion. Mr. Rayhill responded that Plaintiffs would not oppose this request.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct. Executed this 27th day of December, 2016, in Washington, DC.

/s/ Stacey K. Grigsby

Stacey K. Grigsby

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**[PROPOSED] ORDER GRANTING
ZUFFA, LLC'S FIRST UNOPPOSED
MOTION TO EXTEND TIME TO
OPPOSE PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**

[PROPOSED] ORDER

Pending before this Court is Zuffa, LLC's First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege (ECF No. 320). Having considered Zuffa, LLC's (Zuffa's) First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege (ECF No. 320), and for good cause shown:

IT IS HEREBY ORDERED THAT Zuffa, LLC's First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege is GRANTED.

Zuffa's Opposition to Plaintiffs' Motion to Challenge Attorney Client-Privilege is due on Tuesday, January 3, 2017.

10 Plaintiffs' Response to Zuffa's Opposition is due on Tuesday, January 10, 2017.

IT IS SO ORDERED.

DATED: January 9, 2017

By: Peggy A. Leen
Hon. Peggy A. Leen
UNITED STATES MAGISTRATE JUDGE